

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

TODD MICHAEL KENYON,	:
Plaintiff	:
v.	: Case No. 3:21-cv-170-KAP
CORRECTIONS OFFICER MOFFITT,	:
<i>et al.</i> ,	:
Defendants	:

Memorandum Order

Plaintiff, proceeding *pro se*, filed what he styled as a Motion to Allow Evidence for Discovery, ECF no. 36, in which he asks that various items “be allowed as discovery,” and that subpoenas issue for various individuals to testify “if and when this case goes to jury trial.” Plaintiff adds that he also “requires the written statements” of some of these proposed witnesses. This is denied. A motion is not needed to request production of statements in defendants’ possession. There is no point to a motion to allow items “as discovery” or to a premature request for subpoenas. When subpoenas are requested for trial plaintiff will have to do more work than identifying them as “all the inmates that were housed in the RHU” and expecting the court to act as his paralegal.

Plaintiff next filed what he styled as a Motion for Leave, ECF no. 37, in which he asks “leave to add” various items of evidence “to be part of Plaintiff’s Discovery.” This is denied because there is no point to it.

Defendants’ Motion to Strike at ECF no. 38 is denied: the pleading at ECF no. 37 has been denied, and striking it is unnecessary. Plaintiff is cautioned that he should serve on opposing counsel a copy of what he files with the Court.

Plaintiff’s motion to quash a subpoena sent by defendants to the Somerset County Prison, which he styled as a Notice of Objection, ECF no. 42, is denied. Plaintiff objects that any evidence other than medical records is irrelevant, but defendants’ response, ECF no. 43, adequately explains the reasons for and the discoverability of the subpoenaed material.



DATE: December 5, 2022

Keith A. Pesto,
United States Magistrate Judge

Notice by ECF to counsel and by U.S. Mail to:

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